

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

FEBRUARY 27, 1990

Mr. Martin J. Smith
Vice President
Safe Way Disposal Systems, Inc.
90 Industrial Park Rd.
Middletown, CT 06457

Dear Mr. Smith:

Thank you for your letters of October 3 and November 27, 1989, concerning the 40 CFR Part 259 regulations promulgated under the Medical Waste Tracking Act of 1988. The information you have submitted, which outlines the procedures and equipment utilized by Safe Way Disposal Systems, Inc., has been evaluated for compliance with the requirements of 40 CFR Part 259. Based on the information provided, your company would appear to be subject to the regulations found in Part 259, Subparts E and H, when handling regulated medical waste (RMW) generated in a covered State. If your personnel consolidate RMW from one or more shipments of RMW onto a single tracking form, your company would also need to comply with Subpart F of the Part 259 regulations.

The roll-off medical waste receptacles shown in the pictures you have submitted appear to meet the requirements for packaging (i.e., rigid, leak-resistant, impervious to moisture, sufficient strength to prevent tearing or bursting and sealed to prevent leakage during transport) found in 259.41(a). However, this type of receptacle would not meet the additional container requirements for sharps and fluids found at 259.41(b)(1) and (2). This type of receptacle would not constitute a "single secondary receptacle for bags, sharps and fluid containers," as indicated in your letter. For instance, the roll-off receptacle would not be able to meet the conditions of 259.73(a)(2), which requires that a transporter ensure that the waste is not subject to mechanical stress or compaction during loading and unloading or during transit. In addition, this type of unit must be decontaminated in accordance with Section 259.43(b) once emptied.

Packages of regulated medical waste must be both labeled and marked in accordance with Section 259.44 and 259.45. The current regulations do not allow for the application of a single label on the vehicle (i.e., roll-off receptacle) door to meet the requirements of Section 259.45. In addition, each package must have a marking which includes the date of shipment on the package. For instance, if a box contains a bag as an inner liner, and there are several bags of regulated medical waste within the inner liner, the box and the inner bag would have to be marked in accordance with Section 259.45.

The transportation of regulated medical waste, as you are aware, requires the use of a tracking form. Although some States have implemented their own version of the Federal tracking form, Box 12 of the Federal tracking form is provided so that the number of containers (i.e., packages) offered for transport by the generator is recorded. This was included to insure that all the packages offered for

transport by the generator are delivered to the treatment, destination or disposal facility. Therefore, Box 12 should contain the total number of packages loaded onto the roll-off receptacle and the total weight of those packages should be recorded in Box 13.

If you have further questions or need more information please contact Mary Greene at 202-475-7736.

Sincerely,

Devereaux Barnes
Characterization and Assessment
Division

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